IN THE HIGH COURT OF BOMBAY AT GOA

MISC.CIVIL APPLICATION NO. 745 OF 2005

IN

STAMP NUMBER MAIN NO. 2437 OF 2005

SHRI DATTATRAYA SHIVAJI THORWAT AND ANR., ...Applicants

Versus

SMT. CLOTHILDES SOUZA AND 38 ORS., ...Respondents

Mr. Manish D. Salkar, Advocate for the applicants.

Coram:- D. D. SINHA, J.

Date:- 2nd December, 2005

P.C.

Mr. Salkar, the learned Counsel for the applicants states that during the pendency of the Misc. Civil Application No.745/05, this Court has passed an interim order dated 14.10.2005. Pursuant to that, the application for temporary injunction in the said suit filed by the present applicants is decided and, therefore, neither the cause of action in the present Misc. Civil Applicant No.745/05, nor the cause of action in the appeal against order (Stamp No.2437/05) survive. In the backdrop of the above referred facts, Misc. Civil Application No.745/05 is dismissed as infructuous.

The appeal from order (Stamp No.2437/05) along with the Stamp No. (Appln.) No.2438/05 is also dismsised as infructuous.

D. D. SINHA, J.

ssm.